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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1839 OF 2025
IN
BAIL APPLICATION NO.5350 OF 2024

Ramchand Kotumal Issrani ... Applicant

V/s.

Directorate of Enforcement & Anr. ... Respondents

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Mr. Vikram Sutaria i/by Mr. Agastya Desai for the
applicant.

Mr. Aayush Kedia i/by Mr. H.S. Venegaonkar for
respondent No.1.

Mrs. Rajashree V. Newton, APP for respondent No.2-
State.

CORAM : AMIT BORKAR, J.

DATED : JULY 3, 2025

P.C.:

1. This Interim Application is filed by the applicant praying for modification of a condition imposed by this Hon'ble Court in its order dated 7th March 2025. The said condition, which is clause (v) of the bail order, reads as under:

“(v) Applicant shall not leave the State of Maharashtra and Gujarat without prior permission of the Trial Court. He shall deposit his passport, if any, within two weeks after being released on bail with the Trial Court.”

2. The applicant has urged that the aforesaid condition causes

inconvenience and hardship to him in his professional and personal commitments. However, the reasons now cited by the applicant for seeking relaxation or modification of the said condition were very much in existence and within his knowledge even at the time the bail order was passed. The applicant has not shown any new development or change in circumstances that has occurred after 7th March 2025 which would necessitate or justify reconsideration of the said condition.

3. It is a settled principle of law that interim or final conditions imposed by a competent Court while granting bail can only be reviewed or interfered with when fresh circumstances arise or where it is demonstrated that the condition is arbitrary or excessive and affects the liberty of the individual disproportionately.

4. In the present case, the restriction imposed requiring the applicant not to leave the States of Maharashtra and Gujarat without prior permission, and to deposit his passport, was consciously and judiciously imposed by this Court keeping in mind the nature of the offence and to ensure that the applicant remains available for investigation and trial.

5. If the applicant was aggrieved by the imposition of such a condition, the proper remedy available to him was to approach the superior Court, preferably at the stage when the order was passed or within reasonable time thereafter. A modification cannot be sought merely because the applicant is now inconvenienced, without pointing out any new factor or legal infirmity in the earlier

order.

6. In absence of any subsequent or supervening circumstance, this Court finds no valid ground to modify the condition imposed earlier. Mere inconvenience or desire for travel, in absence of genuine and pressing necessity, cannot be a ground to recall or alter the condition imposed in judicial discretion.

7. Hence, in view of the above discussion, this Interim Application stands dismissed.

(AMIT BORKAR, J.)